

Public Law 99-8
99th Congress

An Act

To authorize appropriations for famine relief and recovery in Africa.

Apr. 2, 1985

[S. 689]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

African Famine
Relief and
Recovery Act of
1985.

22 USC 2292q
note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "African Famine Relief and Recovery Act of 1985".

SEC. 2. INTERNATIONAL DISASTER ASSISTANCE.

Chapter 9 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2292-2292p) is amended by adding at the end thereof the following new section:

22 USC 2292q.

"SEC. 495K. AFRICAN FAMINE ASSISTANCE.

"(a) AUTHORIZATION OF ASSISTANCE.—The President is authorized to provide assistance for famine relief, rehabilitation, and recovery in Africa. Assistance under this section shall be provided for humanitarian purposes and shall be provided on a grant basis. Such assistance shall include—

"(1) relief, rehabilitation, and recovery projects to benefit the poorest people, including the furnishing of seeds for planting, fertilizer, pesticides, farm implements, farm animals and vaccine and veterinary services to protect livestock upon which people depend, blankets, clothing, and shelter, disease prevention and health care projects, water projects (including water purification and well-drilling), small-scale agricultural projects, and food protection and preservation projects; and

"(2) projects to meet emergency health needs, including vaccinations.

"(b) USES OF FUNDS.—

"(1) PRIVATE AND VOLUNTARY ORGANIZATIONS AND INTERNATIONAL ORGANIZATIONS.—Funds authorized to be appropriated by this section shall be used primarily for grants to private and voluntary organizations and international organizations.

Grants.

"(2) EMERGENCY HEALTH PROJECTS.—A significant portion of the funds authorized to be appropriated by this section shall be used for emergency health projects pursuant to subsection (a)(2).

"(3) MANAGEMENT SUPPORT ACTIVITIES.—Of the amount authorized to be appropriated by this section, \$2,500,000 shall be transferred to the 'Operating Expenses of the Agency for International Development' account. These funds shall be used for management support activities associated with the planning, monitoring, and supervision of emergency food and disaster assistance provided in those countries in Africa described in section 5(a) of the African Famine Relief and Recovery Act of 1985.

Post, p. 22.

"(c) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to the amounts otherwise available for such purpose, there are authorized to be appropriated \$137,500,000 for the fiscal year 1985 for use in providing assistance under this section.

"(d) **POLICIES AND AUTHORITIES TO BE APPLIED.**—Assistance under this section shall be furnished in accordance with the policies and general authorities contained in section 491."

22 USC 2292.

22 USC 2292q
note.

SEC. 3. MIGRATION AND REFUGEE ASSISTANCE.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts otherwise available for such purpose, there are authorized to be appropriated to the Department of State for "Migration and Refugee Assistance" for the fiscal year 1985, \$37,500,000 for assisting refugees and displaced persons in Africa.

(b) **USE OF FUNDS.**—

(1) **PROJECTS FOR IMMEDIATE DEVELOPMENT NEEDS.**—Up to 54 percent of the funds authorized to be appropriated by this section may be made available to the United Nations Office of Emergency Operations in Africa for projects such as those proposed at the second International Conference on Assistance to Refugees in Africa (ICARA II) to address the immediate development needs created by refugees and displaced persons in Africa.

(2) **EMERGENCY RELIEF AND RECOVERY EFFORTS.**—The remaining funds authorized to be appropriated by this section shall be used by the Bureau for Refugee Programs of the Department of State for emergency relief and recovery efforts in Africa.

22 USC 2292q
note.

SEC. 4. DEPARTMENT OF DEFENSE ASSISTANCE.

(a) **SPECIAL RULE ON REIMBURSEMENT.**—If the Department of Defense furnishes goods or services for African supplemental famine assistance activities, the Department of Defense shall be reimbursed for not more than the costs which it incurs in providing those goods or services. These costs do not include military pay and allowances, amortization and depreciation, and fixed facility costs.

(b) **DEFINITION OF AFRICAN SUPPLEMENTAL FAMINE ASSISTANCE ACTIVITIES.**—For purposes of this section, the term "African supplemental famine assistance activities" means the provision of the following fiscal year 1985 supplemental assistance for Africa:

(1) Famine assistance pursuant to section 2 of this Act.

(2) Migration and refugee assistance pursuant to section 3 of this Act.

(3) Assistance pursuant to supplemental appropriations for title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721-1726).

(4) Assistance with funds appropriated during fiscal year 1985 for the Emergency Refugee and Migration Assistance Fund (22 U.S.C. 2601(c)).

22 USC 2292q
note.

SEC. 5. GENERAL PROVISIONS RELATING TO ASSISTANCE.

(a) **COUNTRIES TO BE ASSISTED.**—Amounts authorized to be appropriated by this Act shall be available only for assistance in those countries in Africa which have suffered during calendar years 1984 and 1985 from exceptional food supply problems due to drought and other calamities.

(b) **"HICKENLOOPER AMENDMENT".**—Assistance may be provided with funds authorized to be appropriated by this Act without regard

to section 620(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(e)(1)).

(c) **ENSURING THAT ASSISTANCE REACHES INTENDED RECIPIENTS.**—The President shall ensure that adequate procedures have been established so that assistance pursuant to this Act is provided to the famine victims for whom it is intended.

SEC. 6. REPORTS ON AFRICAN FAMINE ASSISTANCE.

22 USC 2292q
note.

(a) **REPORT ON UNITED STATES CONTRIBUTION TO MEET EMERGENCY NEEDS.**—

President of U.S.

(1) **REQUIREMENT FOR REPORT.**—Not later than June 30, 1985, the President shall report to the Congress with respect to the United States contribution to meet emergency needs, including food needs, for African famine assistance.

(2) **INFORMATION TO BE INCLUDED IN REPORT.**—The report required by this subsection shall describe—

(A) the emergency needs, including food needs, for African famine assistance that are identified by the President's Interagency Task Force on the African Food Emergency, private voluntary and organizations active in famine relief, the United Nations Office for Emergency Operations in Africa, the United Nations Food and Agriculture Organization, the World Food Program, and such other organizations as the President considers appropriate; and

(B) the projected fiscal year 1985 contribution by the United States Government to meet an appropriate share of those needs referred to in subparagraph (A).

(b) **REPORT ON ASSISTANCE PROVIDED PURSUANT TO THIS ACT.**—

President of U.S.

(1) **REQUIREMENT FOR REPORT.**—Not later than September 30, 1985, the President shall report to the Congress on the assistance provided pursuant to this Act.

(2) **INFORMATION TO BE INCLUDED IN REPORT.**—

(A) **USE OF FUNDS.**—The report pursuant to this subsection shall describe the uses, by the Agency for International Development and by the Department of State, of the funds authorized to be appropriated by this Act, including—

(i) a description of each project or program supported with any of those funds, and the amount allocated to it;

(ii) the identity of each private and voluntary organization or international organization receiving any of those funds, and the amount of funds each received;

(iii) the amount of those funds used for assistance to each country;

(iv) the amount of those funds, if any, which will not have been obligated as of September 30, 1985; and

(v) a list of any projects or programs supported with those funds which are not expected to be completed as of December 31, 1985.

(B) **DEPARTMENT OF DEFENSE ASSISTANCE.**—The report pursuant to this subsection shall describe any goods or services provided by the Department of Defense with respect to which the special rule set forth in section 4 of this Act were applied.

(C) **NEED FOR ADDITIONAL ASSISTANCE.**—The report pursuant to this subsection shall assess the need for additional assistance to meet the short-term emergency resulting from the food supply problem in Africa.

Approved April 2, 1985.

LEGISLATIVE HISTORY—S. 689:

CONGRESSIONAL RECORD, Vol. 131 (1985):

Mar. 19, considered and passed Senate.

Mar. 21, considered and passed House.